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6 Attorneys for Defendants
 7 JOHN BARGETTO and
 BARGETTO'S SANTA CRUZ WINERY

8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA
 10 SAN FRANCISCO DIVISION

11
 12 MARILYN CHURCHILL, an individual,

13 Plaintiff,

14 v.

15 JOHN BARGETTO, in his individual and
 16 official capacities; BARGETTO'S SANTA
 CRUZ WINERY, a California Corporation;
 and DOES 1 through 100, inclusive,

17 Defendants.

18 CASE NO. C07-03007 MMC

**STIPULATION TO CONTINUE
 MEDIATION DEADLINE AND
 [PROPOSED] ORDER**

Honorable Maxine M. Chesney

19 Counsel for Plaintiff MARILYN CHURCHILL and Defendants JOHN BARGETTO and
 20 BARGETTO'S SANTA CRUZ WINERY (hereinafter collectively referred to as the "Parties")
 21 hereby STIPULATE as follows:

- 22 1. There is currently pending discovery that must be completed prior to a meaningful
 23 mediation;
- 24 2. Trial in this matter is scheduled for February 23, 2008;
- 25 3. The non-expert discovery cutoff is September 12, 2008;
- 26 4. The Parties agree that, in order for the Parties to participate in meaningful mediation,
 27 the mediation should take place after the cutoff for non-expert discovery;
- 28 5. The current deadline to complete the mediation session is July 31, 2008;

1 6. The current deadline will not allow for the completion of the necessary discovery;
 2 7. Counsel agree that the current deadline of July 31, 2008 to complete mediation
 3 should be extended to November 30, 2008, in light of the need to conduct additional discovery;
 4 8. Counsel have tentatively selected October 14, 2008 as their proposed mediation date,
 5 but they must still confirm the parties' availability. Should the parties be unavailable on that date,
 6 the mediation shall proceed as soon thereafter as the schedules of the mediator and parties permit;
 7 9. The Parties agree to submit their respective mediation memoranda to the mediator no
 8 later than the close of business ten (10) business days before the date of the mediation.

9 IT IS SO STIPULATED.

10 Dated: July 15, 2008

THE MORALES LAW FIRM

12 By: /s/ David Morales
 13 DAVID MORALES
 14 Attorneys for Plaintiff

15 Dated: July 15, 2008

TINGLEY PIONTKOWSKI LLP

17 By: /s/ Jonathan A. McMahon
 18 JONATHAN A. MCMAHON
 19 Attorneys for Defendants

19 I HEREBY CONSENT TO THE ABOVE STIPULATION.

20 Dated: July 15, 2008

FENWICK & WEST

22 By: /s/ William Fenwick
 23 WILLIAM FENWICK
 24 Mediator

25 ///

26 ///

27 ///

28 ///

1 I hereby attest that I have on file all holograph signatures for any signatures indicated by a
2 "conformed" signature (/s/) within this e-filed document.

3 Dated: July 16, 2008

TINGLEY PIONTKOWSKI LLP

4
5 By: /s/ Jonathan A. McMahon
6 JONATHAN A. MCMAHON
7 Attorneys for Defendants

8 [PROPOSED] ORDER

9 GOOD CAUSE APPEARING, it is hereby ordered that the deadline to complete
10 mediation is November 30, 2008.

11 IT IS SO ORDERED.

12 Dated: July _____, 2008

13 Honorable Maxine M. Chesney
14 JUDGE OF THE U.S. DISTRICT COURT

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